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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,987	05/03/2001	Mary A. Holstege	021756-016000US	8754

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EXAMINER	
NAWAZ, ASAD M	
ART UNIT	PAPER NUMBER
2155	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/848,987	HOLSTEGE, MARY A.	
	Examiner	Art Unit	
	Asad M. Nawaz	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,12-24 and 26-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,12-24 and 26-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendments received on 10/26/06. Claims 1-3, 5, 8, 15-17, 19, 29, and 30 have been amended. No other claims have been added, canceled, or amended. Accordingly, claims 1-10, 12-24, and 26-35 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5, 8-10 and 12-17, 19, 22-24 and 26-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Maslov (US Patent No 6,583,673).

As to claim 1, Maslov teaches a method for monitoring multiple online resources in different formats, the method comprising the steps: identifying a plurality of online resources to monitor, the plurality of online resources being stored in a plurality of formats, at least one of the plurality of online resources including data in a non-strict architectural structure; (Abstract; figs 2-4; col 3, lines 25-40; col 4, lines 40-65)

converting each of the plurality of online resource to a strict formatted file having a common format, wherein data in the plurality of formats of the plurality of online resources is converted into a strict architectural structure in the respective strict formatted file; (Abstract; figs 2-4; col 3, lines 25-40 (XSLT can be used to convert HTML to XML and vice versa); col 4, lines 40-65)

identifying relevant data based on the strict architectural structure of the data in the strict formatted files using an analytic parser, and determining whether the identified relevant data has been altered. (figs 2-4; col 3, lines 25-40; col 4, lines 40-65; col 6, lines 5-13)

and comparing the identified relevant data to a most recent archived copy of the identified relevant data. (fig 1; col 4, lines 41-53)

Claims 15, 30 and 35 are rejected for essentially being the system for the method taught in claim 1.

Claim 29 is rejected for essentially being a method as taught in claim 1 except that data has been remotely updated, a limitation that is taught by Maslov. (fig 6; col 11, lines 4-39)

As to claims 2 and 16, Maslov teaches the method of claim 1 and the system of claim 15 wherein at least one of the plurality of online resources is a HyperText Markup Language application. (col 12, lines 35-41)

As to claim 3, Maslov teaches the method of claim 1 and that at least one of the online resources is a non-HyperText Markup Language application. (col 4, lines 47-52)

Claim 17 is rejected on similar grounds as claim 3 above.

As to claim 5, Maslov teaches the method of claim 1 and that an Extensible Style Sheet Transform is used to convert each online resource to the strict formatted file.(col 3, lines 25-39)

Claim 19 is rejected on similar grounds as claim 5 above.

As to claim 8, Maslov teaches the method of claim 1 and that the strict formatted file is a document object model of one of the online resources. (col 2, lines 46-50)

Claim 22 is rejected on similar grounds as claim 8 above.

As to claims 9 and 23, Maslov teaches the method and system of claims 1 and 15 and that the analytic parser being a script.(col 6, lines 5-13)

As to claims 10 and 24, Maslov teaches the method of claim 9 and the system of claim 23 teaches the script identifying relevant data via markers within the strict formatted file. (col 4, lines 41-53)

As to claims 12 and 26, Maslov teaches a method of claim 11 and a system of claim 15 further comprising the step of storing the identified relevant data within a database. (fig 1; col 4, lines 41-53)

As to claims 13 and 27, Maslov teaches the method of claim 1 and the system of claim 15 and automatically notifying a user when the identified relevant data has changed (abstract; col 4, lines 53-65).

As to claims 14 and 28, Maslov teaches a method of claim 1 and the system of claim 15 further comprising the step of automatically updating a database. (col 4, lines 40-65)

As to claims 31-34, Maslov teaches identifying relevant data in the strict formatted file comprises identifying data flags or identifiers in the strict architectural structure to identify the relevant data. (col 4, lines 40-65)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4, 6, 7, 18, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maslov (US Patent No 5,946,697) and further in view of Helgeson et al (US Patent No 6643652).

As to claim 4, Maslov teaches the method of claim 3 further comprising the step of converting the online resource wherein converting the online resource to the strict formatted file comprises converting the HTML application to the strict formatted file.

However, Maslov does not explicitly indicate converting from the non-hypertext markup language application to a hyper text markup language application to a HyperText Markup Language application.

Helgeson teaches converting from the non-hypertext markup language application to a hyper text markup language application to a HyperText Markup Language application. More specifically, Helgeson teaches transformations from XML to html, pdf, xml, wml, xhtml, etc and vice versa through the use of XSL/XSLT (col 49, lines 55-64; col 50, lines 43-67).

It would have been obvious for one with ordinary skill in the art to incorporate the teachings of Helgeson into those of Maslov to make the system more flexible. Flexibility of a system can be achieved through the integration of disparate business applications enabling modular interconnection of systems containing data import, export and event monitoring and reporting facilities which are protocol independent. (Helgeson Col 2, lines 35-50) Furthermore, languages like xml and html are more formally referred to a standard generalized markup languages and conform to a particular document type definition where most elements have start tags followed by some content and an end tag.

Claim 18 is rejected on similar grounds as claim 4 above.

As to claim 6, Maslov teaches the method of claim 1 but does not explicitly indicate the strict formatted file is an Extensible Markup Language application.

Helgeson teaches a method to manage data exchange among systems in a network by translating data from a system specific local format to a generic interchange format and vice versa. More specifically, Helgeson teaches transformations from XML to html, pdf, xml, wml, xhtml, etc and vice versa through the use of XSL/XSLT (col 49, lines 55-64; col 50, lines 43-67).

It would have been obvious for one with ordinary skill in the art to incorporate the teachings of Helgeson into those of Maslov to make the system more flexible. Flexibility of a system can be achieved through the integration of disparate business applications enabling modular interconnection of systems containing data import, export and event monitoring and reporting facilities which are protocol independent. (Helgeson Col 2, lines 35-50) Furthermore, languages like xml and html are more formally referred to a standard generalized markup languages and conform to a particular document type definition where most elements have start tags followed by some content and an end tag.

Claim 20 is rejected on similar grounds as claim 6 above.

As to claim 7, Maslov teaches the method of claim 1 but does not explicitly indicate the strict formatted file is an Extensible HypterText Markup Language application.

Helgeson teaches a method to manage data exchange among systems in a network by translating data from a system specific local format to a generic interchange format and vice versa. More specifically, Helgeson teaches transformations from XML to html, pdf, xml, wml, xhtml, etc and vice versa through the use of XSL/XSLT (col 49, lines 55-64; col 50, lines 43-67).

It would have been obvious for one with ordinary skill in the art to incorporate the teachings of Helgeson into those of Maslov to make the system more flexible. Flexibility of a system can be achieved through the integration of disparate business applications enabling modular interconnection of systems containing data import, export and event monitoring and reporting facilities which are protocol independent. (Helgeson Col 2, lines 35-50) Furthermore, languages like xhtml and html are more formally referred to a standard generalized markup languages and conform to a particular document type definition where most elements have start tags followed by some content and an end tag.

Claim 21 is rejected on similar grounds as claim 7 above.

Response to Arguments

6. Applicant's arguments filed have been fully considered but they are not persuasive. Applicant argues in substance that A), Maslov does not teach monitoring a plurality of online resources in different formats and B), Maslov teaches away from using XSLT.

7. In response to A), Maslov teaches that "a method for...automatically monitoring of structured online *documents*" (abstract). Therefore, a plurality of documents are monitored, converted, etc. Some of the files that Maslov monitors are HTML and XML. HTML as stated in applicant's claim 2 and in the specification (page 3), is in fact a non-structured document being monitored. Therefore, Maslove still meets the scope of the invention as currently claimed.

In response to B), applicant recites the section of Maslov stating that XSLT techniques do not cover the present invention. This statement is taken out of context. If one reads the entire paragraph, they will realize this statement only pertains to documents in which the content needs to be changed. As Maslov primarily focuses on also changing the content within the monitored documents, the XSLT would not be preferable in that case. In the case, as similar to the applicant's, in which documents are only monitored, XSLT and other transformations can be performed. Furthermore, applicant does not specify how they convert documents. These limitations are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMN

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER